



**FLO eV and FLO-CERT**  
**CHILD PROTECTION POLICY AND PROCEDURES**

This document is written in support of FLO e.V. standards for certification and FLO-CERT audit assessments with regard to ILO Convention 182 and Recommendation 190 and offers protection to children. Specifically, it

Purpose of the document:

- a) protects children from abuse and exploitation involved in the worst forms of child labour, and
- b) protects children against further exploitation that could arise from speaking about the worst forms of child labor to any persons acting on behalf of FLO e.V. and/or FLO-CERT.

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## Acronyms

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FLO	Fairtrade Labelling Organizations International e.V.
FLO-CERT	Fairtrade Labelling Organizations International Certification Body
ILO	International Labour Organization

## Child Protection Policy<sup>1</sup>

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When a product carries the Fairtrade Mark it means producers and traders have met Fairtrade standards. An essential aspect of Fairtrade's certification operations is to assess continued compliance with Fairtrade Standards. Standards are designed to address the imbalance of power in trading relationships, unstable markets and the injustices of conventional trade.

An important part of Fairtrade standards is the ILO Convention 182 (1999) concerning the ***Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor***, and Recommendation 190. ILO Convention 182 regards a child as any person under the age of 18 years. This definition of the age of a child is enshrined in the United Nations Convention on the Rights of the Child (UNCRC) which accords various rights and protection to children.

Fairtrade is committed to upholding ILO Convention 182, which states that the worst forms of child labor comprise:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;<sup>2</sup>
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

In upholding ILO Convention 182, Fairtrade is also committed to

- a) protecting children from abuse and exploitation involved in the worst forms of child labour, which may include but is not limited to reporting to an appropriate child protection agency that could result in the safe withdrawal of children from these forms, and in such way that ensures their continued safety, and
- b) protecting children against further exploitation that could arise from speaking about the worst forms of labor to FLO-CERT, FLO e.V, persons who represent and/or are contracted on behalf of either or both organizations

Child protection policy is applicable to all countries where Fairtrade operates. This policy explains the responsibilities of and procedures to be followed by FLO-CERT, FLO e.V and/or persons who represent and/or are contracted on behalf of either or both organizations, including, but not limited to, FLO e.V liaison officers, managers, coordinators and FLO-CERT supervisors, analysts, auditors, those shadowing or conducting an audit, translators and any other person related to the audit and/or making a determination, in whole or in part, on findings of the worst forms of child,

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<sup>1</sup> This document is written in support of FLO e.V. standards for certification and FLO-CERT audit assessments with regard to ILO Convention 182 and Recommendation 190.

<sup>2</sup> Specifically in the context of child trafficking, according to the ILO, trafficking is said to occur if: (i) a child is misled with false reports or promises, coerced, or otherwise forcibly recruited/handed over to transporters; (ii) a child is lied to about the destination; and (iii) a child is lied to about either the nature of work (i.e., recruited as a dancer but forced into prostitution) or the wages and methods of payment. Trafficking may also take the form of physical or mental abuse, confinement, inadequate or nonexistent health care, poor accommodation, and hazardous work. June Kane & Panudda Boonpala, International Programme on the Elimination of Child Labour, Unbearable to the Human Heart: Child Trafficking and Action to Eliminate it (International Labour Organization, Geneva, 2002)

particularly child trafficking for labor purposes. The worst forms of child labor for the purpose of this policy involve acts that directly or indirectly lead to abuse and/or exploitation of children.

The policy on Child Protection states that:

**Fairtrade is committed to actively preventing abuse and/or exploitation of children from entering the Fairtrade system through any form, including the worst forms of child labor, and protecting children who report to Fairtrade on their abuse and/or exploitation. Fairtrade takes active measures to ensure the prolonged safety of the impacted children.**

The following procedures are intended to ensure that FLO-CERT, FLO e.V, and/or persons who represent and/or are contracted on behalf of either or both organizations

- Understand from a child rights perspective what the worst forms of child labor are and the abuse and exploitation that emerges from these forms
- Understand and uphold Fairtrade 's Child Protection Policy and Procedures
- Are clear on the child protection expectations that Fairtrade has for all its staff and representatives, including, but not limited to, those who determine whether or not the worst forms of child labor exist in a particular Fairtrade setting
- Understand where the risks are for children in reporting such cases
- Understand who to report cases of abuse and exploitation
- Are clear on what steps they, as individuals, must take in order to protect children.

**It is mandatory for all persons acting on behalf of FLO e.V. and/or FLO-CER to report any reported, witnessed, suspected or alleged incident of abuse and exploitation or violation of this child protection policy to the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) and to a designated child protection agency or agent ensuring the prolonged safety of the impacted children.**

## **Codes of Conduct**

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***This Code of Conduct applies to all persons acting on behalf of FLO e.V. and/or FLO-CERT.***

### **Specific Responsibilities**

All FLO-CERT and FLO e.V staff involved in the training, capacity building and/or audit of Fairtrade standards concerning ILO 182 have a responsibility to:

- be familiar with and act according to this Code of Conduct
- be familiar with and act in accord with applicable legislation and national codes of conduct/practice related to child protection if available
- Be familiar with and act in accord with international signed and ratified standards concerning child labour, and
- act with honesty and integrity in all matters pertaining to Fairtrade assessment, research, capacity building and/or training

## **Safety Assurance**

- All persons acting on behalf of FLOe.V. and/or FLO-CERT have an obligation to ensure the safety of all participants associated with a Fairtrade assessment, research, capacity building and/or training, especially those participants under the age of 18 years.
- The respect for the dignity, protection and well being of participants under the age of 18 years takes precedence over the results of an assessment, research, capacity building and/or training.
- All children and/or young people who are below the age of 18 years have the right to refuse participating in a Fairtrade assessment, research, capacity building and/or training and have the right to withdraw from participating after agreeing to participate at any point in the above stated activities.
- The assessment, research, capacity building and/or training that involve children and young person cannot begin without the informed consent or assent of these individuals. Informed consent means approval of the legal representative of the child. National legal regulations differ in regard to the question when a child has the full right to give his or her autonomous consent. Informed assent means a child's agreement where he or she is not legally authorized or lacks sufficient understanding for giving consent competently. Persons acting on behalf of FLOe.V. and/or FLO-CERT should carefully listen to the opinion and wishes of children who are not able to give full consent and should strive to obtain their assent. All children, even those not judged as competent, have a right to receive information given in a way that they can understand and give their assent or dissent. This consent/assent process must promote and protect the dignity, privacy and confidentiality of the child as outlined in the United Nation Convention on the Rights of the Child (UNCRC).
- Persons acting on behalf of FLOe.V. and/or FLO-CERT must disclose in confidence to their line manager at the outset any current or prior misconduct with individuals under the age of 18 years. If an undisclosed misconduct practice or allegation of analyst/researcher/trainer involving children and young people should come to the notice of the supervisor, it must be investigated immediately and if affirmed a decision must be made to disallow the individual from being involved with children and young people under the age of 18 years.

## **Code of Conduct for Line Managers or Their Designates**

Line manager or their designates must

- Have sufficient child centered training on issues related to child protection and have knowledge on how to respond to risks when cases of the worst forms of child labor, including child trafficking are found in the Fairtrade system or particular farm situations
- Have at their disposable the name and contact information of a relevant UN agency or related agencies, including government agencies, specializing in services to children that children and young people can turn to for help if requested (see appendixes for list)
- Ensure that those person acting on behalf of FLOe.V. and/or FLO-CERT in carrying out assessments, research, capacity building and/or training on Fairtrade Standards who may be exposed to reports on the worst forms of child labor have the name and contact information of a relevant UN agency or related agencies specializing in services to children
- Ensure that an environment of openness exists to enable any issue or concern on child protection to be raised and discussed.

## **Code of Conduct for Persons Acting on Behalf of FLO-CERT and/or FLO e.V Who Come in Contact with Children**

In general, it is inappropriate to

- Spend excessive time alone with children and young people away from other adults.
- Take children and young people to places where they will be alone with them (interviews with children must be undertaken with a guardian and/or adult in view of the interview but not within hearing distance)
- Pay children for their participation in an audit

One must never

- Hit or otherwise physically assault or physically abuse children and young people
- Develop physical/sexual relationships with children and young people
- Develop relationships with children and young people which in any way can be deemed exploitative or abusive
- Act in ways that may be abusive or may place a child or young person at risk of abuse.
- Act in ways that could be construed as poor practice or potentially abusive. For example, they should never:
  - Use language, make suggestions or offer advice which is inappropriate, offensive or abusive
  - Behave physically in a manner which is inappropriate or sexually provocative
  - Have a child/children or young people they are working with to stay overnight in the adult's room
  - Sleep in the same room or bed as a child or young people with whom they are working with
  - Do things for children and young people of a personal nature that they can do for themselves
  - Condone, or participate in behavior of children and young people which is illegal, unsafe or abusive
  - Discriminate against, show differential treatment or favor particular child/children or young people to exclusion of others.

## **Special Cases**

In case children and young people report incidence of sexual harassment and abuse and/or child trafficking to any person acting on behalf of FLOe.V. and/or FLO-CERT, they must listen attentively and resist expressions of shock or sadness; it is important that they remain with a neutral expression. The Fairtrade activity that elicited this information must stop at this point and the person acting on behalf of FLOe.V. and/or FLO-CERT, must ensure that the child or young person is in the safety of a protective adult before the case is reported to FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) and to an authorized child protection officials. Protection is more important than confidentiality in these cases. All care must be taken to ensure the protection of the victim in reporting the case.

## **Child Protection Training**

Fairtrade provides Child Protection information and training to all relevant persons acting on behalf of FLO e.V. and/or FLO-CERT who could come in contact with children in the worst forms of child labor or who could hear about children in these forms of labor from another party, including a copy of Child Protection Policy and Procedures. These individuals agree to abide with the measures taken at Fairtrade to ensure child protection. Upon completion of the training, all participants of the training are required to sign the Child Protection Acknowledgement Form to confirm that they have received the training and agree to abide by these Procedures (Appendix A). Individuals who travel to or are in the field and whose work involve children will in the next 8 to 12 months from the date when this Policy and Procedure is approved will be aware of Fairtrade's Child Protection Policy and Procedure and undertake the relevant and required training.

Once the training has taken place the organizations will monitor and report to FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) on how the implementation of the Child Protection Policy and Procedures is proceeding and, if necessary, the Policy and Procedures could undergo revision at set periods.

## **Reporting Infractions on the Worst Forms of Child Labor**

### **Responsibilities**

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An effective reporting procedure strengthens the efforts towards child safe assessment, research, capacity building and training. When a suspected abuse or exploitation has occurred that relates to, but not entirely limited to, the worst forms of child labor as reported by the child, an adult and/or any persons acting on behalf of FLO e.V. and/or FLO-CERT, it is required by Fairtrade that the case be immediately reported to the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) and to a designated child protection agency or agent ensuring the prolonged safety of the impacted children. It is the responsibility of the child protection agency to investigate, with the police if necessary, and decide on the best plan to remove the child. It is important to note that the child needs to be removed from the abusive and/or exploitative condition and all care needs to be given to ensure that the child is not at risk of being further trafficked or ending up in even worse situations of labor. In some special cases, when a case of child trafficking is suspected and identified, the party making the determination may request to the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) to further engage in the process of validating the case as a case of child trafficking before reporting the case for remediation to an authorized child protection agency.

### **What to Report**

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Grounds for concern that must be reported include but are not limited to abuse and/or exploitation relating to:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;

- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, growth, safety or morals of children.
- Work which prevents the child from attending school.
- Work which prevents the child from enjoying his rights to a name and nationality.
- A specific indication from a child that s/he is being abused or gives reason to suspect that they or another child/ren is/are being abused
- A statement from person who witnessed / heard of/ is concerned about/suspects that abuse is happening

**If there is any doubt, it is better to discuss the matter with your line manager rather than disregard it.**

### **How to Report**

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If you believe that you have uncovered or observed evidence that indicates child abuse and/or exploitation, especially with regard to worst forms of labor, including child trafficking, you are required to report to your line manager who in turn needs to report to the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s). All concerns raised will be treated seriously and with sensitivity and confidentiality. Fairtrade ensures that no action will be taken against any person acting on behalf of FLO e.V and/or FLO-CERT who raises a concern in good faith, even if a further investigation finds the concern to be unfounded. However, if this person makes an intentionally false or malicious accusation, he or she could face disciplinary and/or legal action.

Fairtrade 's work on its Standards, especially ILO 182 concerning children in the worst forms of labor primarily takes place in other countries and, as such, abuse or exploitation concerns will likely involve individuals outside of Germany. FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) will work with the appropriate individuals in any country required to investigate the concern raised or study result of abuse or exploitation from the worst forms of child labor and then report it to the child protection agency. Abuse concerns can be reported by phone from anywhere in the world.

#### *Duty to Report*

1. Every person acting on behalf of FLO e.V and/or FLO-CERT who discovers the worst forms of child labor in the Fairtrade system must report it to a line manager who in turn must report it to the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) and to a designated child protection agency or agent ensuring the prolonged safety of the impacted children. The reporting party must assure the protection of the impacted children when reporting the case.
2. If a person has more suspicions or information about a child then the child protection agency must be contacted again, even if other reports have been made before.

#### *Protection from liability*



If a person reports suspected child abuse or exploitation from the worst forms of child labor, she or he cannot be sued if it is proven that the report was made in good faith and not to cause trouble for anyone.

#### *Failure to report*

If a person acting on behalf of FLO e.V and/or FLO-CERT who discovers the worst forms of child labor in the Fairtrade system but does not report it, then this person can face consequences as set out by the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s). These consequences are to be determined by the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director within 6 months of approving this Child Protection Policy and Procedures

When a concern is raised on the abuse and exploitation that originates from the worst forms of child labor, you will be asked for information to be included in a formal report. A sample of the report can be found in Appendix B. This report will be discussed with the FLO e.V's Chief Executive Officer and FLO-CERT's Managing Director or their designate(s) within 24 hours of the finding and a validation process will begin immediately following the notification. Immediate action needs to be taken if necessary to protect the impacted child(ren) and the safety of the impacted child(ren) is paramount.

Final files are kept in a secure location and are protected with the security measures that safeguard confidential files.

### **Additional Child Protection Measures**

#### **General Operations**

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By the very nature of Fairtrade certification work, especially with regard to auditing against Fairtrade standards on the worst forms of child labor a fair amount of detail about children is generated. This information has been given on the understanding that it will be used to determine that Fairtrade partners are adhering to the relevant minimum standards as set out in Fairtrade standards. It is the responsibility of Fairtrade to ensure that the information is used solely for this purpose and is not mistreated. There are a number of ways that this is done:

- Not everyone has access to details of children, and access is given on the basis of role and minimized risk to children. Details are held securely and access to our computer systems is protected by passwords.
- Personal or physical information that could be used to identify the location of a child should be handled with absolute care for the child and only when reporting to a child protection agency. When discussing the case in Fairtrade to arrive at decisions involving the protection of the child, their last name should never be used, and his or her community name should never be used.
- The need to disclose assessment/audit results with the parties involved in the audit must never compromise the safety of the child; this should be given first importance. The audit report will remove all identifiers of children and the report will be issued in such a way to prevent the audited facility or farm from identifying these children. However, if the case arises that an audit requires the names of children to be released to the party being audited, then disclosure of information should always be discussed with children, especially if the audit occurs with an

assurance of confidentiality. If the audited facility or farm will have contact with the children so identified, this will always take place with a representative of a designated child protection agency which needs to be agreed to by the audit supervisor.

- If a child's name is going to be identified for Fairtrade certification purposes either directly or indirectly, then the consent of the child and his or her parents or guardians must be obtained. Care should be taken to ensure that names are used for the purpose for which consent was given.
- Sometimes there is a need to breach confidentiality of people other than the child, for example the child's relatives and/or care taker, in the best interests of the child. While FLO-CERT and FLO e.V. will respect the confidentiality of both the child and adult, in situations of risk to children's safety, the best interests of the child will trump over those of the adult with the overriding duty being to the best interests of the more vulnerable child.
- If information containing details of children and their families has to be destroyed, this is done in a secure manner. Paper must be shredded.

## **Communications**

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All information related to child protection issue is privileged information of FLO-CERT and FLO e.V. and as such communication (internally and externally) on this information will follow strict procedures that may require persons acting on behalf of FLO e.V. and/or FLO-CERT that has access to or is involved with the information to sign additional non-disclosure agreements as deemed necessary by the legal representative of the organizations. This will be decided on a case by case basis. At no time can any one person decide alone to disclose child protection information to another party, even if that person providing the information may deem it necessary in the best interest of the child to disclose this information to an additional party. Any person with privileged child protection information must first discuss the wish to share the information with a designate (s) appointed by the FLO e.V.'s Chief Executive Officer and FLO-CERT's Managing Director or they themselves. All information on child protection issue is sensitive by its very nature and all care must be taken when communicating this information with those approved to receive this information, especially when communicating via email - pass word protect is essential if parties not permitted to have this information are accessing this information on behalf of those permitted to have it.

## **Appendices**

### Appendix A

#### **Child Protection Training**

##### **Application**

For FLO-CERT, FLO e.V, persons who represent and/or are contracted on behalf of either or both organizations

##### **Declaration**

I acknowledge that I have received training from Fairtrade on child protection issues, as well as a document outlining Fairtrade's Child Protection Policy and Procedures.

I have read and understood the document, and agree that I am responsible for those elements of compliance that are within my control.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix B

### Child Protection Issue and Reporting Form 1

#### Initial Report

**CONFIDENTIAL – THE  
FOLLOWING WILL BE SHARED ON  
A ‘NEED TO KNOW’ BASIS ONLY**

**Complete form including as much information as possible.**

#### **What is being reported?**

- ☐ allegation of abuse - general suspicion/concern that abuse may be occurring
- ☐ incident of abuse – witnessed actual abuse
- ☐ child protection complaint – disclosure by child

#### **Report details:**

Time: \_\_\_\_\_ Date: \_\_\_\_\_ Place: \_\_\_\_\_

#### **Reporter's details:**

Name: \_\_\_\_\_ Nationality: \_\_\_\_\_

Address/ Contact details: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: Male/Female Relationship to victim: \_\_\_\_\_

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

#### **Child's Details: *(complete as much as possible if known)***

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Gender: Male/Female

Address: \_\_\_\_\_

Ethnicity/Tribe \_\_\_\_\_ Language/s spoken \_\_\_\_\_ Any Disability \_\_\_\_\_

School \_\_\_\_\_ Class \_\_\_\_\_ Teacher \_\_\_\_\_

Name and contact details of parents/legal guardians/care takers (delete as appropriate):

\_\_\_\_\_

\_\_\_\_\_

**Child's behaviour at the time of interview?** *(List any)*

**Any other information?** *(What else is known about the child. Information about other children in the household or family)*

**Details of the issue:** *(Use child's own words, where possible – include details of incident, people involved, place, time, (what, who, where, when), physical and emotional state of child (describe any cuts, bruises, behaviour and mood. If the reporter is not the child, whether the reporter spoke directly to the child? Did the child report or disclose abuse? If so, what were the exact words of the child? If not, what made the referrer suspicious? Details of any witnesses.) Use additional page if necessary.*

**Alleged Perpetrators details:** *(complete as much as possible if known)*

Name: \_\_\_\_\_ Nationality \_\_\_\_\_

Address/Current Location: \_\_\_\_\_

Language/s spoken \_\_\_\_\_ Age: \_\_\_\_\_ Gender: Male/Female Relationship to victim:  
\_\_\_\_\_

Occupation: \_\_\_\_\_ Employer \_\_\_\_\_

Any other details (including physical description) :

**Current Safety of the child?** *(Include any immediate safety concerns such as access of perpetrator to the safety within the family, any emergency needs)*

**Has any emergency medical or other support been required? If so what was provided, when and by whom?**

*(Include any immediate safety concerns such as access of perpetrator to the safety within the family, any emergency needs)*

**Does the report or presentation of the child (if present) suggest emergency medical attention is needed?**

**Who else knows?** *(e.g. other agencies, family members, other individuals)*

**Actions taken to date?** *(e.g. referral to the police, social welfare etc))*

**Completed by (name and sign):** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signed off by (reporter):** \_\_\_\_\_ **Date** \_\_\_\_\_

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